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05 AUG 30 PM 4: 11

UNITED STATES DISTRICT COURT

2005 AUG 29 PM 3: 17

FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
MEMPHIS

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W/D OF TN, MEMPHIS

ELWYN L. CHAO, Secretary of Labor,  
United States Department of Labor,

PLAINTIFF,

v.

CIVIL ACTION NO. 05-2563 M1/P

MIN FANG YANG, HUO GUANG  
HUANG, TASTY BUFFER, INC., and  
TASTY CHINA BUFFET, INC.

DEFENDANTS.

MOTION GRANTED

*Preliminary Injunction  
Hearing Reset to  
Monday, Sept. 19,  
2005 at 9:00 AM*

*[Signature]*  
JON PHIPPS McALLA  
U.S. DISTRICT JUDGE

*Aug 30, 2005*  
DATE

MOTION FOR CONTINUANCE OF

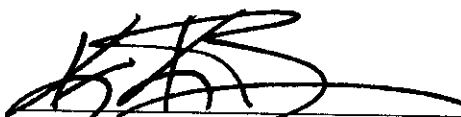
PRELIMINARY INJUNCTION HEARING

A Preliminary Injunction hearing is set in this matter on September 1, 2005. Defendants Yang and Huang have very limited ability to speak English and their recently retained counsel does not speak Mandarin. Defendants Yang and Huang, together with their counsel, need time to locate a competent interpreter that can facilitate meaningful conversations between them in order to prepare for the injunction hearing. Defendants, therefore, request that the injunction hearing set for September 1, 2005, be postponed to a later date at least seven to ten days after the current setting. When consulted regarding this motion, Plaintiffs' counsel did not oppose postponement of the hearing.

Pursuant to Local Rule 7.2, filed contemporaneously herewith will be a memorandum in support of this motion, a Certificate of Consultation, and a Proposed Order.

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Respectfully submitted,



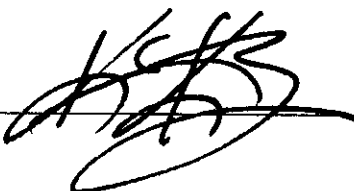
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Counsel for Defendants

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing has been served upon the following, via U.S. Mail, postage prepaid, and facsimile delivery, on this the 24 day of August, 2005:

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## Notice of Distribution

This notice confirms a copy of the document docketed as number 14 in case 2:05-CV-02563 was distributed by fax, mail, or direct printing on August 31, 2005 to the parties listed.

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Honorable Jon McCalla  
US DISTRICT COURT